

PROB. 12B  
(7/93)

ORIGINAL

United States District Court

for the

DISTRICT OF HAWAII

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

JUL 15 2008  
at 1 o'clock and 2 min. — M.  
SUE BEITIA, CLERK

**Request for Modifying the Conditions or Term of Supervision  
with Consent of the Offender**

*(Probation Form 49, Waiver of Hearing is Attached)*

Name of Offender: SONNY MANSFIELD HOOPAI Case No.: CR 02-00401DAE-01

Name of Sentencing Judicial Officer: The Honorable David Alan Ezra  
U.S. District Judge

Date of Original Sentence: 4/25/2003

Original Offense: Bank Robbery, in violation of 18 U.S.C. § 2113(a), a Class C felony

Original Sentence: Sixty (60) months imprisonment as to Count 1, to run consecutively with CR 97-00512, followed by 3 years supervised release with the following special conditions: 1) Defendant must participate in a substance abuse program, which must include drug testing at the discretion and direction of the Probation Office; 2) That the defendant participate in a mental health program at the discretion and direction of the Probation Office; 3) The defendant shall cooperate in the collection of DNA as directed by the Probation Officer; 4) That the defendant is prohibited from possessing any illegal or dangerous weapons; and 5) That the defendant provide the Probation Office and the Financial Litigation Unit of the U.S. Attorney's Office access to any requested financial information to include submitting to periodic debtor's examinations as directed by the Probation Office. The Court also ordered that the defendant shall pay restitution of \$4,912.00 to the Homestreet Bank immediately, and any remaining balance on an installment basis according to the collection policy of the Probation Office but at a rate of not less than 10 percent of his monthly gross income.

Type of Supervision: Supervised Release Date Supervision to Commence: 10/24/2008

**PETITIONING THE COURT**

☒ To modify the conditions of supervision as follows:

- General Condition:* That the defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of the commencement of supervision and at least two drug tests thereafter, but no more than 8 valid drug tests per month during the term of supervision (mandatory condition).
- Special Condition No. 1:* That the defendant shall participate in and comply with substance abuse treatment which includes drug and alcohol testing in a program approved by the Probation Office. The defendant is to refrain from the possession and/or use of alcohol while participating in substance abuse treatment.
- Special Condition No. 6:* That the defendant be placed in Mahoney Hale, a residential reentry center, for up to 180 days at the discretion and direction of the Probation Office. The defendant shall participate in the programs at Mahoney Hale to include employment and job-training opportunities.

### CAUSE

The subject is scheduled to begin supervised release on 10/24/2008. On 7/3/2008, the subject was interviewed at Mahoney Hale. He is currently in Mahoney Hale as a U.S. Bureau of Prisons inmate. He related that he did not have a release residence and did not think that he would be able to secure a residence by his release date. We are recommending that the subject be allowed to reside at Mahoney Hale as a public law placement. The placement would provide stability to the subject when he transitions back into the community. We believe he would benefit from remaining at Mahoney Hale.

Additionally, according to the presentence report, the subject has a history of cocaine and marijuana abuse. The subject agreed to modify his conditions of supervision to accommodate the revised language for participation in substance abuse treatment and to comply with requirements of random drug testing under U.S. v Stephens.

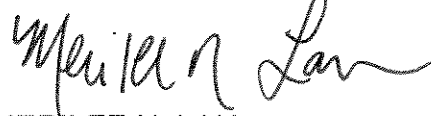
It is respectfully recommended that the Court modify the subject's conditions of supervised release.

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Attached is a signed Waiver of Hearing to Modify Conditions of Supervised Release. The subject waives his right to a hearing and to assistance of counsel. The subject agrees to the modification of the conditions of supervised release. The subject's attorney and the U.S. Attorney's Office have been notified of the proposed modification and have no objections to the modification.

Respectfully submitted by,



MERILEE N. LAU  
U.S. Probation Officer

Approved by:



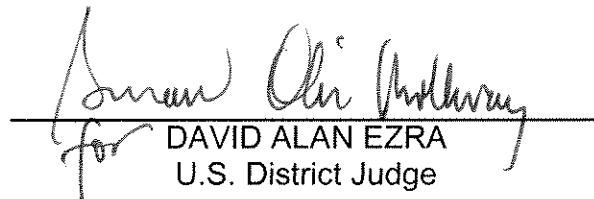
PETER D. YOSHIHARA  
Supervising U.S. Probation Officer

Date: 7/11/2008

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THE COURT ORDERS:

- ☒ The Modification of Conditions as Noted Above  
☐ Other



for DAVID ALAN EZRA  
U.S. District Judge

JUL 11 2008

Date

PROB 49  
(5/96)

## United States District Court

District of Hawaii

### Waiver of Hearing to Modify Conditions of Probation/Supervised Release and/or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release and/or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release and/or to the proposed extension of my term of supervision:

[ X ] To modify the conditions of supervision as follows:

*General Condition: That the defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of the commencement of supervision and at least two drug tests thereafter, but no more than 8 valid drug tests per month during the term of supervision (mandatory condition).*

*Special Condition No. 1: That the defendant shall participate in and comply with substance abuse treatment which includes drug and alcohol testing in a program approved by the Probation Office. The defendant is to refrain from the possession and/or use of alcohol while participating in substance abuse treatment.*

*Special Condition No. 6: That the defendant be placed in Mahoney Hale, a residential reentry center, for up to 180 days at the discretion and direction of the Probation Office. The defendant shall participate in the programs at Mahoney Hale to include employment and job-training opportunities.*

Witness:

  
MERILEE N. LAU  
U.S. Probation Officer

Signed:

  
SONNY MANSFIELD HOOPAI  
Supervised Releasee

7-8-08  
Date